

1 ROB BONTA
Attorney General of California
2 ALEXANDRA M. ALVAREZ
Supervising Deputy Attorney General
3 KAROLYN M. WESTFALL
Deputy Attorney General
4 State Bar No. 234540
600 West Broadway, Suite 1800
5 San Diego, CA 92101
P.O. Box 85266
6 San Diego, CA 92186-5266
Telephone: (619) 738-9465
7 Facsimile: (619) 645-2061

8 *Attorneys for Complainant*

9
10 **BEFORE THE**
PHYSICIAN ASSISTANT BOARD
11 **DEPARTMENT OF CONSUMER AFFAIRS**
12 **STATE OF CALIFORNIA**

13 In the Matter of the Accusation Against:

Case No. 950-2021-003443

14 **ERIN E. THURMAN, P.A.**
15 **910 SYCAMORE CANYON ROAD**
PASO ROBLES, CA 93446-4776

A C C U S A T I O N

16 **Physician Assistant License**
17 **No. PA 19341,**

18 Respondent.

19
20 **PARTIES**

21 1. Rozana Khan (Complainant) brings this Accusation solely in her official capacity as
22 the Executive Officer of the Physician Assistant Board, Department of Consumer Affairs (Board).

23 2. On or about September 6, 2007, the Physician Assistant Board issued Physician
24 Assistant License No. PA 19341 to Erin E. Thurman, P.A. (Respondent). The Physician
25 Assistant License was expired between June 30, 2021, and February 23, 2022, but was otherwise
26 in full force and effect at all times relevant to the charges brought herein and will expire on June
27 30, 2023, unless renewed.

28 ///

JURISDICTION

3. This Accusation is brought before the Board, under the authority of the following laws. All section references are to the Business and Professions Code (Code) unless otherwise indicated.

4. Section 118 of the Code states, in pertinent part:

...

(b) The suspension, expiration, or forfeiture by operation of law of a license issued by a board in the department, or its suspension, forfeiture, or cancellation by order of the board or by order of a court of law, or its surrender without the written consent of the board, shall not, during any period in which it may be renewed, restored, reissued, or reinstated, deprive the board of its authority to institute or continue a disciplinary proceeding against the licensee upon any ground provided by law or to enter an order suspending or revoking the license or otherwise taking disciplinary action against the licensee on any such ground.

(c) As used in this section, "board" includes an individual who is authorized by any provision of this code to issue, suspend, or revoke a license, and "license" includes "certificate," "registration," and "permit."

5. Section 3503 of the Code states:

No person other than one who has been licensed to practice as a physician assistant shall practice as a physician assistant or in a similar capacity to a physician and surgeon or podiatrist or hold himself or herself out as a "physician assistant," or shall use any other term indicating or implying that he or she is a physician assistant.

6. Section 3527 of the Code states, in pertinent part:

(a) The board may order the denial of an application for, or the issuance subject to terms and conditions of, or the suspension or revocation of, or the imposition of probationary conditions upon a PA license after a hearing as required in Section 3528 for unprofessional conduct that includes, but is not limited to, a violation of this chapter, a violation of the Medical Practice Act, or a violation of the regulations adopted by the board.

(b) The board may order the denial of an application for, or the suspension or revocation of, or the imposition of probationary conditions upon, an approved program after a hearing as required in Section 3528 for a violation of this chapter or the regulations adopted pursuant thereto.

...

(d) The board may order the licensee to pay the costs of monitoring the probationary conditions imposed on the license.

(e) The expiration, cancellation, forfeiture, or suspension of a PA license by operation of law or by order or decision of the board or a court of law, the placement

1 of a license on a retired status, or the voluntary surrender of a license by a licensee
2 shall not deprive the board of jurisdiction to commence or proceed with any
3 investigation of, or action or disciplinary proceeding against, the licensee or to render
4 a decision suspending or revoking the license.

7. Section 3528 of the Code states:

5 Any proceedings involving the denial, suspension, or revocation of the application for
6 licensure or the license of a PA or the application for approval or the approval of an
7 approved program under this chapter shall be conducted in accordance with Chapter 5
8 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government
9 Code.

8. Section 2227 of the Code states, in pertinent part:

9 (a) A licensee whose matter has been heard by an administrative law judge of
10 the Medical Quality Hearing Panel as designated in Section 11371 of the Government
11 Code, or whose default has been entered, and who is found guilty, or who has entered
12 into a stipulation for disciplinary action with the board, may, in accordance with the
13 provisions of this chapter:

14 (1) Have his or her license revoked upon order of the board.

15 (2) Have his or her right to practice suspended for a period not to exceed one
16 year upon order of the board.

17 (3) Be placed on probation and be required to pay the costs of probation
18 monitoring upon order of the board.

19 (4) Be publicly reprimanded by the board. The public reprimand may include a
20 requirement that the licensee complete relevant educational courses approved by the
21 board.

22 (5) Have any other action taken in relation to discipline as part of an order of
23 probation, as the board or an administrative law judge may deem proper.

24 ...

9. Section 2234 of the Code, states, in pertinent part:

25 The board shall take action against any licensee who is charged with
26 unprofessional conduct. In addition to other provisions of this article, unprofessional
27 conduct includes, but is not limited to, the following:

28 (a) Violating or attempting to violate, directly or indirectly, assisting in or
abetting the violation of, or conspiring to violate any provision of this chapter.

(b) Gross negligence.

(c) Repeated negligent acts. To be repeated, there must be two or more
negligent acts or omissions. An initial negligent act or omission followed by a
separate and distinct departure from the applicable standard of care shall constitute
repeated negligent acts.

1 (1) An initial negligent diagnosis followed by an act or omission medically
2 appropriate for that negligent diagnosis of the patient shall constitute a single
3 negligent act.

4 (2) When the standard of care requires a change in the diagnosis, act, or
5 omission that constitutes the negligent act described in paragraph (1), including, but
6 not limited to, a reevaluation of the diagnosis or a change in treatment, and the
7 licensee's conduct departs from the applicable standard of care, each departure
8 constitutes a separate and distinct breach of the standard of care.

9 ...

10 (e) The commission of any act involving dishonesty or corruption that is
11 substantially related to the qualifications, functions, or duties of a physician and
12 surgeon.

13 ...

14 10. Unprofessional conduct under California Business and Professions Code section 2234
15 is conduct which breaches the rules or ethical code of the medical profession, or conduct which is
16 unbecoming to a member in good standing of the medical profession, and which demonstrates an
17 unfitness to practice medicine.¹

18 11. Section 2052 of the Code states, in pertinent part:

19 (a) Notwithstanding Section 146, any person who practices or attempts to
20 practice, or who advertises or holds himself or herself out as practicing, any system or
21 mode of treating the sick or afflicted in this state, or who diagnoses, treats, operates
22 for, or prescribes for any ailment, blemish, deformity, disease, disfigurement,
23 disorder, injury, or other physical or mental condition of any person, without having
24 at the time of so doing a valid, unrevoked, or unsuspended certificate as provided in
25 this chapter [Chapter 5, the Medical Practice Act], or without being authorized to
26 perform the act pursuant to a certificate obtained in accordance with some other
27 provision of law, is guilty of a public offense, punishable by a fine not exceeding ten
28 thousand dollars (\$10,000), by imprisonment pursuant to subdivision (h) of Section
1170 of the Penal Code, by imprisonment in a county jail not exceeding one year, or
by both the fine and either imprisonment.

...

(c) The remedy provided in this section shall not preclude any other remedy
provided by law.

12. Section 2238 of the Code states:

A violation of any federal statute or federal regulation or any of the statutes or
regulations of this state regulating dangerous drugs or controlled substances
constitutes unprofessional conduct.

¹ *Shea v. Board of Medical Examiners* (1978) 81 Cal.App.3d 564, 575.

1 13. Section 2239 of the Code states, in pertinent part:

2 (a) The use or prescribing for or administering to himself or herself, of any
3 controlled substance; or the use of any of the dangerous drugs specified in Section
4 4022, or of alcoholic beverages, to the extent, or in such a manner as to be dangerous
5 or injurious to the licensee, or to any other person or to the public, or to the extent that
6 such use impairs the ability of the licensee to practice medicine safely or more than
7 one misdemeanor or any felony involving the use, consumption, or
8 self-administration of any of the substances referred to in this section, or any
9 combination thereof, constitutes unprofessional conduct. The record of the
10 conviction is conclusive evidence of such unprofessional conduct.

11 ...

12 14. Section 2242 of the Code states, in pertinent part:

13 (a) Prescribing, dispensing, or furnishing dangerous drugs as defined in Section
14 4022 without an appropriate prior examination and a medical indication, constitutes
15 unprofessional conduct...

16 15. Section 2261 of the Code states:

17 Knowingly making or signing any certificate or other document directly or
18 indirectly related to the practice of medicine or podiatry which falsely represents the
19 existence or nonexistence of a state of facts, constitutes unprofessional conduct.

20 16. Section 2262 of the Code states, in pertinent part:

21 Altering or modifying the medical record of any person, with fraudulent intent,
22 or creating any false medical record, with fraudulent intent, constitutes unprofessional
23 conduct.

24 ...

25 17. Section 2266 of the Code states: The failure of a physician and surgeon to maintain
26 adequate and accurate records relating to the provision of services to their patients constitutes
27 unprofessional conduct.

28 18. Section 4022 of the Code states, in pertinent part:

 "Dangerous drug" or "dangerous device" means any drug or device unsafe for
 self-use in humans or animals, and includes the following:

 (a) Any drug that bears the legend: "Caution: federal law prohibits dispensing
 without prescription," "RX only," or words of similar import.

 ...

 (c) Any other drug or device that by federal or state law can be lawfully
 dispensed on prescription or furnished pursuant to Section 4006.

///

19. Health and Safety Code Section 11153 states, in pertinent part:

(a) A prescription for a controlled substance shall only be issued for a legitimate medical purpose by an individual practitioner acting in the usual course of his or her professional practice. The responsibility for the proper prescribing and dispensing of controlled substances is upon the prescribing practitioner, but a corresponding responsibility rests with the pharmacist who fills the prescription. Except as authorized by this division, the following are not legal prescriptions: (1) an order purporting to be a prescription which is issued not in the usual course of professional treatment or in legitimate and authorized research; . . .

...

20. Section 11157 of the Health and Safety Code states: No person shall issue a prescription that is false or fictitious in any respect.

21. Section 11170 of the Health and Safety Code states: No person shall prescribe, administer, or furnish a controlled substance for himself.

22. Section 11173 of the Health and Safety Code states, in pertinent part:

(a) No person shall obtain or attempt to obtain controlled substances, or procure or attempt to procure the administration of or prescription for controlled substances, (1) by fraud, deceit, misrepresentation, or subterfuge; or (2) by the concealment of a material fact.

(b) No person shall make a false statement in any prescription, order, report, or record, required by this division.

...

23. Section 11180 of the Health and Safety Code states: No person shall obtain or possess a controlled substance obtained by a prescription that does not comply with this division.

COST RECOVERY

24. Business and Professions Code section 125.3 states that:

(a) Except as otherwise provided by law, in any order issued in resolution of a disciplinary proceeding before any board within the department or before the Osteopathic Medical Board upon request of the entity bringing the proceeding, the administrative law judge may direct a licensee found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

(b) In the case of a disciplined licensee that is a corporation or a partnership, the order may be made against the licensed corporate entity or licensed partnership.

(c) A certified copy of the actual costs, or a good faith estimate of costs where actual costs are not available, signed by the entity bringing the proceeding or its designated representative shall be prima facie evidence of reasonable costs of

1 investigation and prosecution of the case. The costs shall include the amount of
2 investigative and enforcement costs up to the date of the hearing, including, but not
limited to, charges imposed by the Attorney General.

3 (d) The administrative law judge shall make a proposed finding of the amount
4 of reasonable costs of investigation and prosecution of the case when requested
pursuant to subdivision (a). The finding of the administrative law judge with regard
5 to costs shall not be reviewable by the board to increase the cost award. The board
may reduce or eliminate the cost award, or remand to the administrative law judge if
6 the proposed decision fails to make a finding on costs requested pursuant to
subdivision (a).

7 (e) If an order for recovery of costs is made and timely payment is not made as
8 directed in the board's decision, the board may enforce the order for repayment in any
appropriate court. This right of enforcement shall be in addition to any other rights
9 the board may have as to any licensee to pay costs.

10 (f) In any action for recovery of costs, proof of the board's decision shall be
conclusive proof of the validity of the order of payment and the terms for payment.

11 (g)(1) Except as provided in paragraph (2), the board shall not renew or
12 reinstate the license of any licensee who has failed to pay all of the costs ordered
under this section.

13 (2) Notwithstanding paragraph (1), the board may, in its discretion,
14 conditionally renew or reinstate for a maximum of one year the license of any
licensee who demonstrates financial hardship and who enters into a formal agreement
15 with the board to reimburse the board within that one-year period for the unpaid
costs.

16 (h) All costs recovered under this section shall be considered a reimbursement
17 for costs incurred and shall be deposited in the fund of the board recovering the costs
to be available upon appropriation by the Legislature.

18 (i) Nothing in this section shall preclude a board from including the recovery of
19 the costs of investigation and enforcement of a case in any stipulated settlement.

20 (j) This section does not apply to any board if a specific statutory provision in
that board's licensing act provides for recovery of costs in an administrative
21 disciplinary proceeding.

22 **STATEMENT OF FACTS**

23 25. Between approximately 2007 and 2014, Respondent worked as a physician assistant
24 at Blackhawk Medical Group (BMG).

25 26. Between approximately 2015 and 2018, Respondent worked as a physician assistant
26 at Partners Urgent Care (PUC).

27 27. Between approximately 2019 and 2020, Respondent worked as a physician assistant
28 at Metro Family Physicians (MFP) under the supervision of C.E., M.D.

1 28. Between approximately 2018 and 2020, Respondent self-prescribed controlled
2 substances, including approximately five (5) prescriptions of phentermine,² four (4) prescriptions
3 of phendimetrazine,³ and six (6) prescriptions of modafinil.⁴ All of these prescriptions were
4 prescribed to Erin Fabbriatore (Respondent's married name) and signed by Erin Thurman
5 (Respondent's maiden name).⁵ Respondent created many of these prescriptions using
6 prescription pads from PUC, after she was no longer employed by that clinic.

7 29. Between approximately 2018 and 2021, Respondent prescribed monthly prescriptions
8 of Adderall⁶ to Patient A, including during the time-frame Respondent's physician assistant
9 license was expired. Respondent created many of those prescriptions using prescription pads
10 from PUC and MFP, after she was no longer employed by those clinics. Patient A is
11 Respondent's relative, and Respondent did not prepare any treatment records for Patient A at any
12 time.

13 30. On or about January 1, 2021, Respondent prescribed Patient A Adderall using a
14 prescription from MFP. Respondent was no longer working at MFP at that time, and prepared the
15 prescription using C.E., M.D.'s signature.⁷

16 ² Phentermine is a Schedule IV controlled substance pursuant to Health and Safety Code
17 section 11057, subdivision (f), and a dangerous drug pursuant to section 4022 of the Code. It is a
stimulant and an appetite suppressant.

18 ³ Phendimetrazine is a Schedule III controlled substance pursuant to Health and Safety
19 Code section 11056, subdivision (b), and a dangerous drug pursuant to Business and Professions
20 Code section 4022. It is a sympathomimetic amine, which is similar to an amphetamine, and is
used to treat obesity.

21 ⁴ Modafinil (brand name Provigil) is a Schedule IV controlled substance pursuant to
22 Health and Safety Code section 11057, subdivision (d), and a dangerous drug pursuant to section
4022 of the Code. It is used to treat narcolepsy and sleep apnea.

23 ⁵ During her subject interview, Respondent claimed she has always been known
24 professionally by her maiden name, Erin Thurman, and outside her medical practice, she is
known by her married name, Erin Fabbriatore.

25 ⁶ Adderall (brand name for dextroamphetamine and amphetamine) is a Schedule II
26 controlled substance pursuant to Health and Safety Code section 11055, subdivision (d), and a
dangerous drug pursuant to section 4022 of the Code. It is an amphetamine salts combination
medication used to treat attention-deficit hyperactivity disorder (ADHD) and narcolepsy.

27 ⁷ At her subject interview, Respondent admitted that C.E., M.D., did not provide any
28 treatment to Patient A.

1 31. Between approximately 2019 and 2020, Respondent prescribed approximately seven
2 (7) prescriptions of methylphenidate⁸ to Patient B. Respondent created many of those
3 prescriptions using a prescription pad from PUC, after she was no longer employed by that clinic.
4 Patient B is Respondent's pediatric relative, and Respondent did not prepare any treatment
5 records for Patient B at any time.

6 32. On or about November 25, 2021, at approximately 11:11 a.m., Respondent crashed
7 her vehicle into another vehicle while driving to the airport. Respondent did not stop to exchange
8 information with the other driver, but continued driving to the airport. The other driver called the
9 police to report the incident.

10 33. Shortly after Respondent arrived at the airport terminal, a police officer approached
11 Respondent, as she remained seated in her vehicle. The officer noted Respondent's vehicle had
12 significant damage to the passenger's side. Respondent provided her driver's license to the
13 officer, which identified herself as Erin Fabbricatore. As he spoke with Respondent, the officer
14 noted Respondent was unable to sit still, had difficulty focusing, exhibited slurred speech, and
15 smelled of alcohol. Respondent denied drinking any alcohol but admitted taking medication daily
16 for anxiety and depression. After preforming poorly on field sobriety tests, Respondent was
17 placed under arrest for driving under the influence.

18 34. A search of Respondent's vehicle subsequent to her arrest revealed a bottle containing
19 multiple pills, including Adderall, multiple prescription pads from BMG, PUC, and MFP, one
20 prescription for Erin Fabbricatore for modafinil, and two prescriptions for Patient A for Adderall.
21 When asked about the prescriptions, Respondent admitted prescribing for herself and Patient A,
22 who she admitted was her relative.

23 35. At approximately 2:44 p.m., a blood sample was obtained from Respondent that was
24 subsequently tested for alcohol. The blood test result indicated Respondent had a blood alcohol
25 content of .19 percent.

26
27 ⁸ Methylphenidate (brand name Ritalin) is a Schedule II controlled substance pursuant to
28 Health and Safety Code section 11055, subdivision (d), and a dangerous drug pursuant to section
4022 of the Code. It is a stimulant medication used to treat ADHD.

36. On or about May 31, 2022, the San Diego County District Attorney filed a criminal complaint against Respondent in the matter of *The People of the State of California v. Erin E. Fabbriatore*, San Diego County Superior Court Case No. CD294817. The complaint charged Respondent with thirteen counts as follows: (1) Obtaining prescription by fraud/deceit in violation of Health and Safety Code section 11173(a); (2) Unlawful controlled substance prescription, in violation of Health and Safety Code section 11153(a); Use of personal identifying information of another, in violation of Penal Code section 530.5(a); (4) Obtaining prescription by fraud/deceit, in violation of Health and Safety Code section 11153(a); (5) Unlawful controlled substance prescription, in violation of Health and Safety Code section 11153(a); (6) Obtaining prescription by fraud/deceit in violation of Health and Safety Code section 11173(a); (7) Unlawful controlled substance prescription, in violation of Health and Safety Code section 11153(a); (8) Forgery of prescription, in violation of Business and Professions Code section 4324(a); (9) Unlawful controlled substance prescription, in violation of Health and Safety Code section 11153(a); (10) Transport of controlled substances, in violation of Health and Safety Code section 11379(a); (11) Driving under the influence of alcohol, in violation of Vehicle Code section 23152, subdivision (a); (12) Driving with a blood alcohol content level of 0.08 percent or more, in violation of Vehicle Code section 23152, subdivision (b); and (13) Hit and run driving, in violation of Vehicle Code section 20002(a).

FIRST CAUSE FOR DISCIPLINE

(Prescribing or Administering Controlled Substances to Herself)

37. Respondent has subjected her Physician Assistant License No. PA 19341 to disciplinary action under sections 3527, 2227, and 2234, as defined by section 2239, subdivision (a), of the Code, in that she has prescribed and administered controlled substances to herself, as more particularly alleged in paragraphs 25 through 36, above, which are hereby incorporated by reference and realleged as if fully set forth herein.

///

///

///

1 **SECOND CAUSE FOR DISCIPLINE**

2 **(Use of Alcohol to an Extent, or in a Manner, as to be Dangerous to Herself,**
3 **to Others, or to the Public)**

4 38. Respondent has further subjected her Physician Assistant License No. PA 19341 to
5 disciplinary action under sections 2227 and 2234, as defined by section 2239, subdivision (a), of
6 the Code, in that she has used alcohol to an extent, or in a manner, as to be dangerous or injurious
7 to herself, to another person, or to the public, as more particularly alleged in paragraphs 25
8 through 36 above, which are hereby incorporated by reference and realleged as if fully set forth
9 herein.

10 **THIRD CAUSE FOR DISCIPLINE**

11 **(Gross Negligence)**

12 39. Respondent has further subjected her Physician Assistant License No. PA 19341 to
13 disciplinary action under sections 3527, 2227, and 2234, as defined by section 2234, subdivision
14 (b), of the Code, in that she committed gross negligence in her care and treatment of Patients A
15 and B, as more particularly alleged hereafter:

16 (a) Paragraphs 25 through 36, above, are hereby incorporated by reference and
17 realleged as if fully set forth herein;

18 (b) Respondent prescribed controlled substances to her relatives;

19 (c) Respondent prescribed controlled substances to Patients A and B without
20 preparing any treatment records; and

21 (d) Respondent prescribed controlled substances to Patients A and B by improperly
22 utilizing prescription pads from clinics where she was no longer employed, and
23 improperly utilizing the signature of her prior supervising physician.

24 **FOURTH CAUSE FOR DISCIPLINE**

25 **(Repeated Negligent Acts)**

26 40. Respondent has further subjected her Physician Assistant License No. PA 19341 to
27 disciplinary action under sections 3527, 2227 and 2234, as defined by section 2234, subdivision
28 (c), of the Code, in that she committed repeated negligent acts in her care and treatment of

1 Patients A and B, as more particularly alleged in paragraphs 25 through 36, and 39 above, which
2 are hereby incorporated by reference and realleged as if fully set forth herein.

3 **FIFTH CAUSE FOR DISCIPLINE**

4 **(Violation of State Laws Regulating Dangerous Drugs and/or Controlled Substances)**

5 41. Respondent has further subjected her Physician Assistant License No. PA 19341 to
6 disciplinary action under sections 3527, 2227 and 2234, as defined by section 2238, of the Code,
7 in that she has violated a state law or laws regulating dangerous drugs and/or controlled
8 substances, as more particularly alleged in paragraphs 25 through 36 above, which are hereby
9 incorporated by reference and realleged as if fully set forth herein.

10 **SIXTH CAUSE FOR DISCIPLINE**

11 **(Dishonesty or Corruption)**

12 42. Respondent has further subjected her Physician Assistant License No. PA 19341 to
13 disciplinary action under sections 3527, 2227 and 2234, as defined by section 2234, subdivision
14 (e), of the Code, in that she has committed an act or acts of dishonesty or corruption, as more
15 particularly alleged in paragraphs 25 through 36, above, which are hereby incorporated by
16 reference and realleged as if fully set forth herein.

17 **SEVENTH CAUSE FOR DISCIPLINE**

18 **(False Representations)**

19 43. Respondent has further subjected her Physician Assistant License No. PA 19341 to
20 disciplinary action under sections 3527, 2227 and 2234, as defined by section 2261, of the Code,
21 in that she has knowingly made or signed a certificate or document directly or indirectly related to
22 the practice of medicine which falsely represented the existence or nonexistence of a
23 state of facts, as more particularly alleged in paragraphs 25 through 36, above, which are hereby
24 incorporated by reference and realleged as if fully set forth herein.

25 ///

26 ///

27 ///

28 ///

1 **EIGHTH CAUSE FOR DISCIPLINE**

2 **(Creation of False Medical Records, with Fraudulent Intent)**

3 44. Respondent has further subjected her Physician Assistant License No. PA 19341 to
4 disciplinary action under sections 3527, 2227 and 2234, as defined by section 2262, of the Code,
5 in that she created false medical records with fraudulent intent, as more particularly alleged in
6 paragraphs 25 through 36, above, which are hereby incorporated by reference and realleged as if
7 fully set forth herein.

8 **NINTH CAUSE FOR DISCIPLINE**

9 **(Furnishing Drugs without Examination)**

10 45. Respondent has further subjected her Physician Assistant License No. PA 19341 to
11 disciplinary action under sections 3527, 2227 and 2234, as defined by section 2242, of the Code,
12 in that she prescribed, dispensed, or furnished dangerous drugs without an appropriate prior
13 examination and medical indication, as more particularly alleged in paragraphs 25 through 36
14 above, which are hereby incorporated by reference and re-alleged as if fully set forth herein.

15 **TENTH CAUSE FOR DISCIPLINE**

16 **(Failure to Maintain Adequate and Accurate Records)**

17 46. Respondent has further subjected her Physician Assistant License No. PA 19341 to
18 disciplinary action under sections 3527, 2227 and 2234, as defined by section 2266, of the Code,
19 in that she failed to maintain adequate and accurate records, as more particularly alleged in
20 paragraphs 25 through 36, above, which are hereby incorporated by reference and realleged as if
21 fully set forth herein.

22 **ELEVENTH CAUSE FOR DISCIPLINE**

23 **(Unlicensed Practice of Medicine)**

24 47. Respondent has further subjected her Physician Assistant License No. PA 19341 to
25 disciplinary action under sections 3527, 2227 and 2234, as defined by section 2052 and 3503, in
26 that she engaged in the unlicensed practice of medicine, as more particularly alleged in
27 paragraphs 25 through 36, above, which are hereby realleged and incorporated by this reference
28 as if fully set forth herein.

1 **TWELFTH CAUSE FOR DISCIPLINE**

2 **(General Unprofessional Conduct)**

3 48. Respondent has further subjected her Physician Assistant License No. PA 19341 to
4 disciplinary action under sections 3527, and 2234, of the Code, in that she has engaged in conduct
5 which breaches the rules or ethical code of the medical profession, or conduct that is unbecoming
6 to a member in good standing of the medical profession, and which demonstrates an unfitness to
7 practice medicine, as more particularly alleged in paragraphs 25 through 36, above, which are
8 hereby realleged and incorporated by this reference as if fully set forth herein.

9 **PRAYER**

10 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
11 and that following the hearing, the Physician Assistant Board issue a decision:

12 1. Revoking or suspending Physician Assistant License No. PA 19341, issued to
13 Respondent Erin E. Thurman, P.A.;

14 2. Ordering Respondent Erin E. Thurman, P.A., to pay the Board the costs of the
15 investigation and enforcement of this case, pursuant to Business and Professions Code section
16 125.3;

17 3. Ordering Respondent, Erin E. Thurman, P.A., if placed on probation, to pay the
18 Board probation monitoring fees; and

19 4. Taking such other and further action as deemed necessary and proper.

20
21 DATED: April 27, 2023

Rozana Khan

22 ROZANA KHAN
23 Executive Officer
24 Physician Assistant Board
25 Department of Consumer Affairs
26 State of California
27 Complainant

28
SD2022802411
83889040.docx